

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of
Frick et al

Examiner: Issac, Roy P.
Art Unit: 1623

Serial No.: **10/734,573**

Filed: **December 12, 2003**

Title: **NOVEL HETEROCYCLIC
FLUOROGLYCOSIDE DERIVATIVES,
MEDICAMENTS CONTAINING
THESE COMPOUNDS, AND THE USE
THEREOF**

Response to the Restriction Requirement

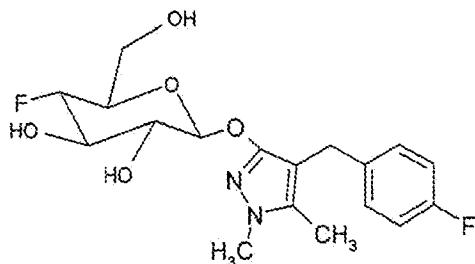
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This paper is responsive to the Restriction Requirement mailed on 09/15/06.

Per Examiner's request, Applicant herein elects, without traverse, to prosecute the claims of Group I (i.e. Claims 1-8, drawn to compounds of formula I, classified in class 514, subclass 431, for example).

Applicant elects the species of Example 9 of Table 1.



Example 9 is a compound of Formula I wherein

R1 is H;

R2 is F;

R3 is OH;

R4 is OH;

R5 is CH₃;

R6 is CH₃;

R7 is 4-F;

R8, R9 are H, H;

A is O;
B is CH₂;
Cyc 1 is Ph;
X is N;
Y is N;
m is 1; and
n is 3.

Claims 1-8 read upon the species election.

Applicants submit that once the compounds of the present invention are found to be novel, then the other Groups defined by the Examiner that contain any compositions of matter containing those compounds should also be found to be novel and rejoined. Likewise, pursuant to linking claim practice, at least one of the method claims should be rejoined.

Furthermore, Applicants affirm their right to file one or more divisional applications with respect to any of the non-elected subject matter.

Respectfully submitted,



Barbara E. Kurys, Reg. No.: 34,650
Attorney/Agent for Applicant

sanofi-aventis Inc. LLC
U.S. Patent Operations
Route #202-206 / P.O. Box 6800
Bridgewater, NJ 08807-0800
Telephone (908) 231-2965
Telefax (908) 231-2626

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